

## Message Text

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PAGE 01 TOKYO 16036 091000Z

17

ACTION EB-07

INFO OCT-01 ARA-06 EUR-12 EA-06 IO-10 ISO-00 AF-04 NEA-06

RSC-01 L-02 FRB-01 OMB-01 TAR-01 SP-02 SWF-01 AGR-05

AID-05 CIAE-00 COME-00 INR-05 LAB-04 NSAE-00 OIC-02

SIL-01 STR-01 TRSE-00 CIEP-01 CEA-01 PA-01 PRS-01

USIA-06 NSC-05 SS-15 /114 W  
----- 128460

P 090917Z DEC 74

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 6587

INFO USMISSION USUN NY PRIORITY

USMISSION GENEVA

USMISSION EC BRUSSELS

AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MEXICO

AMEMBASSY PARIS

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E.O. 11652: N/A

TAGS: UNCTAD, EGEN, UN, JA

SUBJ: JAPANESE POSITION ON CHARTER OF ECONOMIC RIGHTS AND  
DUTIES OF STATES

REF: (A) TOKYO 15970 (B) STATE 269222

SUMMARY: FOLLOWING EMBASSY APPROACHES TO FONOFF DEPUTY VICE  
MINISTER OKAWARA AND ECON AFFAIRS DIV/UN BUREAU DIRECTOR  
TANIGUCHI, VICE MIN TOGO CALLED IN CHARGE TO EXPLAIN GOJ'S  
ABSTENTION ON CHARTER VOTE AND ASSERT THERE WAS NO CHANCE  
OF JAPAN'S CHANGING TO NEGATIVE VOTE AT PLENARY SESSION. END  
SUMMARY.

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PAGE 02 TOKYO 16036 091000Z

1. IN DISCUSSION WITH E/C COUNS DEC 9 TANIGUCHI, DIR, ECON

AFFAIRS DIV, UN BUREAU, FONOFF (KEY WORKING LEVEL OFFICIAL RESPONSIBLE FOR CHARTER), EXPRESSED PERSONAL DISAPPOINTMENT AT GOJ'S POSITION ON CHARTER VOTE. HE ADDED, HOWEVER, THAT THERE WAS NO POSSIBILITY FOR JAPAN TO CHANGE FROM ABSTENTION TO NEGATIVE VOTE AT PLENARY SESSION. WHEN ASKED WHETHER SHIFT TO NEGATIVE VOTE BY FRANCE WOULD NOT REQUIRE JAPANESE DELEGATION, ON BASIS ITS INSTRUCTIONS (REF A), ALSO TO VOTE AGAINST CHARTER, TANIGUCHI MERELY SAID THAT WOULD NOT BE POSSIBLE.

2. SHORTLY AFTERWARDS, CHARGE RAISED SAME SUBJECT WITH DEP VICE MIN OKAWARA, WHO, ALTHOUGH NOT DIRECTLY RESPONSIBLE FOR CHARTER ISSUE, IS WELL CONNECTED AT BOTH BUREAUCRATIC AND POLITICAL LEVELS. IN RESPONSE TO CHARGE'S EXPRESSIONS OF REGRET AT JAPAN'S ABSTENTION, OKAWARA REPLIED THAT POSITION OF JAPAN HAD BEEN DETERMINED ON BASIS OF GOJ'S ASSESSMENT OF SITUATION IN NEW YORK AND ASSERTED IT WOULD BE QTE IMPOSSIBLE UNQTE TO CHANGE ITS VOTE IN PLENARY SESSION.

3. LATER IN DAY, PRESUMABLY AS RESULT OF TWO APPROACHES DESCRIBED ABOVE AND FACT THAT THE AMBASSADOR HAD RAISED CHARTER ISSUE WITH HIM DEC 5 (TOKYO 15866), VICE MIN TOGO REQUESTED CHARGE TO CALL ON HIM TO EXPLAIN GOJ VOTE ON CHARTER. TOGO STATED THAT JAPANESE DECISION HAD BEEN SUBJECT OF EXTENSIVE INTER-MINISTERIAL DISCUSSION DURING PREVIOUS WEEK, HAVING IN MIND US VIEWS AS EXPLAINED TO HIM BY AMBASSADOR HODGSON, AND SIMILAR UK VIEWS AS CONVEYED BY BRITISH PERMANENT UNDER SECRETARY OF STATE DURING VISIT LAST WEEK TO JAPAN. AFTER MUCH DISCUSSION, TOGO STATED, CONCLUSION REACHED THAT WHILE GOJ COULD QTE MAKE ITS POSITION CLEAR UNQTE ON PARAGRAPH-BY-PARAGRAPH VOTE, IT COULD NOT CAST NEGATIVE VOTE ON CHARTER AS A WHOLE.

4. TOGO INDICATED THAT FACTORS WHICH CARRIED PARTICULAR WEIGHT IN REACHING THIS DECISION INCLUDED FACT THAT ADVANCED INDUSTRIAL COUNTRIES OF EUROPE WERE DIVIDED ON ISSUE AND CONCERN FOR JAPAN'S QTE POLITICAL RELATIONS UNQTE WITH AFRO-ASIAN COUNTRIES. TOGO ALSO REFERRED TO PRIME MINISTER TANAKA'S DISCUSSIONS WITH MEXICAN PRESIDENT ECHEVERRIA DURING SEPTEMBER VISIT. HE EXPLAINED THAT AL-

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PAGE 03 TOKYO 16036 091000Z

THOUGH THERE ARE QTE DIFFERENCES OF INTERPRETATION UNQTE AS TO JOINT COMMUNIQUE ISSUED ON THAT OCCASION, THERE COULD BE NO QUESTION THAT DURING TALKS, TANAKA HAD EXPRESSED QTE MORAL SUPPORT UNQTE FOR POSITION OF DEVELOPING COUNTRIES WITH RESPECT TO CHARTER. TOGO COMMENTED THAT JAPAN LIKELY TO SUFFER MORE THAN OTHER INDUSTRIAL COUNTRIES IF CERTAIN PROVISIONS OF CHARTER IN PRESENT FORM ARE ACTUALLY IMPLEMENTED, BUT INSISTED THAT CONSIDERATION OF JAPAN'S

POLITICAL RELATIONS WITH AFRO-ASIAN COUNTRIES, AS WELL AS ITS VULNERABILITY WITH RESPECT TO SUPPLY OF RAW MATERIALS, WERE OVER-RIDING, HE EXPRESSED HOPE THAT USG WOULD UNDERSTAND GOJ POSITION.

5. CHARGE EXPRESSED DISAPPOINTMENT WITH GOJ DECISION. HE OBSERVED THAT JAPAN COULD REASONABLY BE EXPECTED TO SHARE USG CONCERNS WITH RESPECT TO SUCH PROVISIONS OF CHARTER AS THOSE RELATING TO NATIONALIZATION, EXPROPRIATION, AND ENDORSEMENT OF CONCEPT OF PRODUCER CARTELS. HE STATED THAT THIS FACT TOGETHER WITH FACT THAT MAJORITY OF EC-9 HAD VOTED AGAINST CHARTER IN SECOND COMMITTEE LED US TO HOPE THAT JAPAN COULD RECONSIDER ITS POSITION AND CAST NEGATIVE VOTE DURING UNGA PLENARY CONSIDERATION. HE ALSO POINTED OUT THAT APPROVAL OF CHARTER WITHOUT SUPPORT OF KEY INDUSTRIAL NATIONS COULD ONLY HAVE ADVERSE EFFECT OF ADDING TO PRECEDENT OF INEFFECTIVE UN ACTION. TOGO SEEMED TO ACKNOWLEDGE THESE POINTS, BUT SAID THAT THERE WAS NO CHANCE OF GOJ CHANGING ITS POSITION; IT WOULD THEREFORE ABSTAIN DURING PLENARY VOTE.

6. COMMENT: BY ALL INDICATIONS, DECISION ON CHARTER VOTE WAS INDEED SUBJECT OF INTENSE DISCUSSION WITHIN FONOFF, AMONG MINISTRIES AND FINALLY QTE AT POLITICAL LEVEL UNQTE. ACCORDING TO OUR SOURCES, RECOMMENDATION OF BUREAUCRATS WAS THAT JAPAN OPPOSE CHARTER. WHILE THERE MAY HAVE BEEN SOME INTRA-FONOFF DEBATE, APPARENTLY BOTH FONOFF AND MOF BUREAUCRATS SUPPORTED THIS RECOMMENDATION. POSITION OF MITI AND OTHER MINISTRIES' BUREAUCRATS NOT KNOWN. DESPITE SOME GENTLE PROBING, EMBASSY HAS NOT YET BEEN ABLE TO LEARN WHO OR WHAT CONSTITUTED QTE POLITICAL LEVEL UNQTE WHERE APPARENT RECOMMENDATION WAS CHANGED. DECISION CLEARLY SEEMS TO HAVE BEEN RESULT OF CONCERNS ABOUT JAPAN'S RESOURCE LIMITED OFFICIAL USE

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PAGE 04 TOKYO 16036 091000Z

VULNERABILITY AND WHAT COULD BE INTERPRETED AS CONTRADICTION BETWEEN NEGATIVE VOTE AND TANAKA-ECHEVERRIA DISCUSSIONS. LONG-RUN DANGERS TO JAPAN, HOWEVER, APPARENTLY MORE CLEARLY PERCEIVED AMONG BUREAUCRATS THAN QTE POLITICIANS UNQTE. SHOESMITH

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